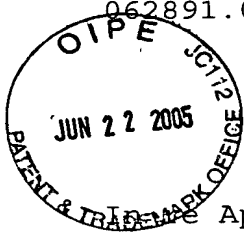


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PATENT APPLICATION
09/997,453

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Malcolm M. Smith
Serial No.: 09/997,453
Filing Date: November 27, 2001
Group Art Unit: 2681
Examiner: Jean A. Gelin
Title: COMMUNICATION SYSTEM WITH FLOATING
PHYSICAL CHANNEL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

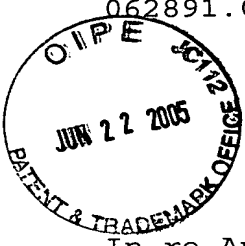
CERTIFICATE OF MAILING BY EXPRESS MAIL

I hereby certify that the attached Response to Examiner's Final Action is are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on this 22nd day of June 2005, addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Willie Jiles

Willie Jiles

Express Mail Receipt
No. EV 733630745 US



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RESPONSE TO EXAMINER'S FINAL ACTION

In response to the Final Action mailed April 22, 2005, Applicant respectfully requests the Examiner to reconsider the rejection of the claims and the objections to the Application in view of the following amendments and/or comments as set forth below.